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## WEARE BOARD OF SELECTMEN PUBLIC MEETING Weare Police Department November 19, 2014

**PRESENT:** TOM CLOW, CHAIRMAN; KEITH R. LACASSE, VICE CHAIRMAN; JOHN LAWTON, SELECTMAN; JAMES LEARY, SELECTMAN; JENNIFER BOHL, SELECTMAN

Chairman Clow explained that the purpose of the meeting is to allow Weare citizens the opportunity to share their thoughts on the actions of the Selectmen and ask questions of the Board. It is anticipated that the major focus will be on the Police Department (PD), but the Board will welcome any thoughts and questions on any other issues facing the town.

Chairman Clow noted that six months ago they were seeing progress in the PD, but now we have new challenges to face. Most of that progress that was seen six months ago and the changes that were made are still with us. Officer vacancies have been filled with quality personnel with direct ties to the community. These new officers joined a core of veterans giving us a solid base to build on. The interior of the PD has been renovated to provide a more professional work environment. The record management system has been completely revamped making all files secure and accessible when needed. The evidence room and evidence storage and recovery system was brought up to industry standard. Weare became the first PD in the state to mandate the use of body cameras by all officers to increase public accountability. Overtime expenses have been greatly reduced. Most important is the progress toward the Commission on Accreditation for Law Enforcement Agencies (CALEA). Deputy Chief, now Acting Chief, Sean Kelly was initially hired as a consultant to rewrite department policies to meet this national standard. The project has been completed and the training of officers on these new policies has been started. All these accomplishments remain with the department.

Chairman Clow explained that there may be some questions asked that cannot be answered due to pending litigation.

Mike Arsenault, West Quaker Street, asked what CALEA accreditation entails. Chairman Clow responded that it is related to having proper policies in the department and having officers trained and utilizing those policies. Chief Kelly said that the accreditation does not tell them how to have their community policed, but sets standards that are periodically revised, gives a list of what to do in certain types of situations, and the minimum standards they would like to see in the policies. The process is lengthy and difficult and not every PD is accredited. NH has only 15 accredited police departments and Chief Kelly said that if he has anything to do with it before this time next year, Weare would be among those few. The process includes a very careful sub assessment process and looks at policies and procedures. Chief Kelly said that the Weare PD has inadequate policies and procedures in place, which was brought to his attention before coming to the Town of Weare as a consultant last March. The Commission will be coming to town in April to do an assessment of the PD and once they are accredited the Commission will return every three years to assess and every year the Police Chief will have to produce a report to the Commission and demonstrate compliance with their standards.

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A resident asked why they are doing the accreditation if it is not required. Chief Kelly responded that from what he has been told and seen, there has been a history with a shortfall of accountability at the Weare PD and this is a management tool to ensure the community that the Weare PD is being held accountable to industry standards. The community decides on the level of service and accreditation tells them how to achieve it.

Brenda Lashway, Buxton School Road said that for 30 years there has been nothing but problems with lawsuits for misconduct and it hasn't been just in the past six months. She noted that they have tried appointing a police chief, tried a Police Commission, tried electing a police chief, and they are now back to appointing and are continuing to have significant problems that are costing the town a fortune. There have been multiple law suits over many years with payouts, settlements, and paid leaves for overall poor decision making and the citizens are paying. They need to think of other possibilities and something different needs to be done.

Rich, a citizen of Colby Road, asked if there are any guidelines from the state regarding the size of the department based on the size of the community/population. Chairman Clow said that is a community decision, there is a formula Chief Begin used when he was in charge and came to the Board with requests for additional officers. Rich asked about the possibility of the state police covering. Chairman Clow said that the Attorney General's Office initiated a meeting and three representatives from their office met with three Selectmen and the Town Administrator. At the meeting the representatives made suggestions on how to move forward and one was to contact Earl Sweeny, who is a Deputy Commissioner with the Department of Safety, to help with guidance on a process to move forward. Chairman Clow said that there was a conference call to Mr. Sweeny who told them with the budget cuts in the state police they could not offer more than 8-12 hours of coverage to help a community. Rich said that budget motivates the question and the Board has to decide what can be done with the budget. Chairman Clow noted that they are waiting for a call back from the County Sheriff regarding coverage.

Rodman Wilson, General Knox Rd, lived in Weare since 1932 and has been through twelve police chiefs. He noted that the town has never had as much controversy as they have in the past five years. Mr. Wilson said that the people doing the investigation should find out more about these individuals before hiring them.

Selectman Leary said the town hired MRI, which is a company that finds police chiefs, fire chiefs, town administrators, and town managers. They took in 70 applications, sorted them down to 5-6 then the Board started to interview and narrowed it down. They spent time and money and thought they had the right people in place, but no one could have foreseen what happened with Chief Velleca.

John Burt, District 39 Representative, lives in Goffstown, explained that he is speaking because he has had a lot of colleagues ask him to attend. He is concerned with the police sitting behind him and if the Board wants people to truly speak their minds the police should not be here. Constituents he knows in Weare called him and asked him to speak on their behalf. What he is hearing from taxpayers is for the PD to disband because sadly the police are not peace officers anymore. The other said to go to a Sheriff's department, which would be more controllable and peace officers. Residents did bring up MRI and spending money for disaster. When they fire an officer and then hire that officer back with full pay, benefits, and retirement is the Board consulting an attorney and if the attorney is still on the payroll residents think that attorney needs to be fired. Representative Burt noted that Weare residents paid \$300k to the father of the person shot. There were several lawsuits over filming the police costing \$30k-\$50k. He is being told that the police are stopping people for no reason and then stating no action required. He asked what the true cost has been.

Vice Chairman Laccase supplied the following costs:

paid administrative leave ó 2012 \$56,329.35, 2013 \$50,922.10, 2014 \$17,088.77

settlements ó 2012 no record, 2013 \$11,673.23, 2014 not done yet

legal ó 2012 \$41,269.54, 2013 \$37,940.11, 2014 \$58,459.04

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MRI ó 2012 hired to do study on overtime \$5,279.28

MRI ó 2013 two interim police chiefs and hiring process with Velleca \$42,373.13

The total for the last 3 years, not including costs that the town's insurance carrier paid on behalf of the town is \$321,737.48.

Rene Montplaisir, 63 Pondview Road, said that the police officers are not bad guys and if someone is intimidated to speak it is their problem, not the officers. Everything he hears is administrative errors.

Will Townsend, Hoit Mill Road, noted that Chairman Clow stated the procedure of the meeting is to state your name and address, but Representative Burt got up and said this person feels this way and this one feels that. Vice Chairman Lacasse said that all five of the Selectmen have published phone numbers and email addresses and if anyone wants to contact them privately and voice concerns or issues they will respect their identity. Chairman Clow said that he takes responsibility regarding Representative Burt speaking and he should not have been allowed.

A gentleman from 2307 Weare Road, asked if in light of lawsuits will there be any further arrests from audio or video recording. Chairman Clow said that in the future it would be allowed with the understanding that as long as it is not interfering with the work of the officer there would be a right to videotape for audio and video. Chief Kelly said that in regards to audio only, it has to be acknowledged that the recording is taking place, if in public place can record video or audio.

Peter Bailey, Maplewold Road, noted seeing \$60k salaries and \$67k in overtime for officers and he sees no ownership from the Board. Vice Chairman Lacasse said that the Board wants to hear from the public and their thoughts on the hiring process, he does not believe they will be hiring MRI. Selectman Leary noted that prior to Chief Velleca the last police chief was elected. Chairman Clow referred to the meeting with the Attorney General's Office and their suggestion to contact Earl Sweeny to help with the new process of hiring. When they spoke with Mr. Sweeny he was presently working on a plan for Bartlet and he told them that when he finished with the plan he would share it with Weare. The detailed process involves having a citizen's board and professional board review the candidates. Mr. Sweeny emphasized the need for the Board to get their feet on ground and go to the community where the person they are considering hiring lives and talk to citizens, town government, police department, and local business people to get a total feel and thorough vetting of the candidate. Chairman Clow agrees that they paid MRI a lot of money and they were relying on their help and then things happened that shouldn't have happened that cost more money. He said that the buck does stop with the Board. What happened with the candidate who the Board chose was unpredictable. Mr. Bailey wants the Board to learn from their mistakes and change things and noted that the overtime costs show no leadership on the Board's part. Chairman Clow said that the Board was pleased with MRI's help with the overtime study and the Board did everything they could to put steps in place and this year there are substantial decreases in overtime. Chairman Clow noted that they also have to separate the PD from individuals and the individuals that created most of the expense are no longer with the town.

Jack Dearborn, Gould Rd, has been a resident of Weare for 62 years. He takes issue with Representative Burt being here this evening and feels it was not appropriate for him to speak. Mr. Dearborn said that over the last year he has been involved with the town Capital Improvement Program. He has spent time with Sean Kelly and toured the department and was impressed with the changes made over the last few years such as the evidence locker and the facility being monitored by cameras and audio. Mr. Dearborn said that Chief Kelly brought in what he learned from Durham and Weare has benefited. He recognizes that there has been a management problem not only at the PD but with the people that manage the chief and that is the Board of Selectmen. His concern going forward is if they haven't improved how the Selectmen manage the PD then he wonders how much change. He has heard people discuss privatization and stated that it won't be cheap. He has a lot of faith

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going forward with what he has seen in the turn around and hopes the Selectmen get help with the Human Resources issues. The town is still paying the price for a lot of the people that caused the problems.

Vice Chairman Lacasse responded that the Board is guilty of placing a lot of trust in the administrators they hired to manage the department. Sean Kelly has been required to be at every Selectmen's meeting whether he has something to say or not, just in case. The Board does need to take a closer look at all departments.

Jeffrey Brown, Winterberry Lane, is a real estate investor, but in a previous life he was a Town Manager and has dealt with a lot of these issues in the past. He has been in communities with issues with their PD, has been in towns where the PD was outsourced, and he encourages the Board not to do that. He noted that the town would not have greater control with the Sheriff's department either. The Board would have control over employees that they hire and fire, control over policies, and ensuring they are followed. Mr. Brown encourages the citizens to consider enacting a charter where the town hires a professional town manager, somebody with hiring and firing authority, someone who answers to the Board, someone with experience and education and training to do this on a day to day basis. Mr. Brown said that there are people that are schooled and trained to do this work, to ensure that the issues that have happened do not continue, and if they do happen there is one person held accountable, who is paid to manage. Hiring a town manager is not cheap, but he thinks it is time for the Selectmen to focus on policies and leave the day to day management of the town to someone qualified.

John Mullet, Shady Hill Road, has a background in law enforcement. Mr. Mullet said that it is wonderful to open the floor to citizens, but feels that there is a lack of strong leadership and that the Board is throwing in the towel because they don't know what to do with the PD anymore. He said that the advancements seen in last year such as repainting cars, getting a new patch, and remodeling the office are not getting at the systemic problem. He thinks accreditation is something that all police department should work towards, but being an accredited PD does not mean it is a good PD. There are only 15 accredited police departments in state that, but neither those or the ones that aren't have the same kinds of problems like Weare. While it is great that the Board is asking for input, it may be more important for the Board to put a plan together stating this is what we want to do moving forward and then ask for input.

Chairman Clow said that there has been lot of press concerning the Weare PD and one article called for transparency, which is really what this meeting is about. Hearing public thoughts and ideas is part of the transparency that has to exist. Chairman Clow noted that because of these legal expenses they have to meet far too many times in nonpublic session, which gives the impression that what is going on is a discussion that they can't have because of the legal issues would get them in deeper. Chairman Clow said that this meeting is part of the effort to try to meet the goal of transparency.

Mr. Mullet said that before hiring the last police chief the Board discussed privatization and hiring a company that was so mirrored in scandal that they changed their name twice in the last five years. He is trying to understand their thought process. Vice Chairman Lacasse said that it was born of frustration, having perceived zero control, negotiating contracts, working with the chief, and not getting the results they were hoping to get. Vice Chairman Lacasse stated that he was the one that suggested it and did research on his own. Chairman Clow said that as a Board when they make a decision, the Board stands behind it as a whole, but that was a split decision.

Tony Soltani, was the town prosecutor back in the 1980s, but does not live in town. Chairman Clow stopped Mr. Soltani from speaking. Chairman Clow explained that Representative Burt called him at home and said that he had a citizen that has afraid to speak and he was asked to speak on that citizens behalf. Chairman Clow said that on behalf of the Board he did not think it would be a problem, but in fact it did become a problem. Citizens present requested that Mr. Soltani not be allowed to speak until all citizens get to speak.

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Janet Brown, 76 year resident, said that she is concerned mostly with young drivers, citizens of town of Weare, who were roughed up by our police officers. If not the police chief it should be reviewed by someone when one or two officers have 5-6 lawsuits against them. She noted that the police are doing a good job, but there are always 1-2 that aren't doing their job. Mrs. Brown thinks it is great that the Selectmen are seeking public input when discussing new Police Chief and route going to take, lot of retired state police officers in town that should be part of the discussion.

Resident from Pine Hill Road is glad to hear they are not going with privatization. Mentioned that there were red flags with Chief Velleca such as why is he coming from a big city to a small town and why didn't he move his family here after 90 days. There should have been a 90 day probationary period.

Barbara Annett, East Shore Drive, explained that when she called the police because she had intruders outside her door, two officers responded within 10 minutes around 3:05 a.m. Those officers stayed with her as long as they needed to and did an outstanding job. She teaches at John Stark and commented that for many years they had a School Resource Officer who did a fantastic job at connecting with the young people. There are many students at school that have many thoughts and ideas in their mind. One student was doing research in how to prevent bomb threats and found that in the FBI manual the key point was to have a School Resource Officer. The more you hear in news about what is happening in schools, there need to be proactive measures in place. Officers have been cut from 3-7 am and now the School Resource Officer was cut from the school. She thinks that the town and the students are suffering and would appreciate that something be done soon.

Gary Dionne, 65 Holly Hill Farm Rd, suggests that people talk with officers on-duty and get to know them. Commented that Chief Velleca listened to his concerns and despite his transgression he did a fantastic job in the department. They need to elect another chief to continue moving the department in a positive direction and get them back to 24 hour coverage. Selectmen need to stay on top of PD. He noted that officers just left the department. Chairman Clow said that they lost two police officers to Manchester, which was discouraging because it cost the Town of Weare to train them in the field, pay another officer to cover shifts, and there was overtime associated with training as well, because the gap needs to be filled. One of the challenges with any PD is keeping the officers on the force and having the citizens get to know them. Gary asked how the Board will address keeping officers on board in Weare. Chairman Clow said that pay is part of it, but there are advancements in bigger towns that they can't offer. Chief Velleca focused on hiring local people, he felt that if they live in town and have a family in town, they would be more likely to stay with the town.

Donna Osborne, South Stark Highway, heard a rumor about John Velleca receiving six month severance pay and asked if that is true. Chairman Clow said that is not true, there is no severance whatsoever.

Skip Sullivan, Grandview Drive, thinks that the officers they have are doing an outstanding job and he does not believe there is one officer in this town that would pull someone over just for the sake of pulling someone over.

Barbara Hibbard, Gould Road, has had a business in town for 35 years. She has no quarrel with the police in town and said that when needed they are there. She noted that there are twenty businesses from Country 3 Corners to Gould Road and she would like to see an old fashioned way to have police get out of their cars in the evening and check doors in the area.

Gary Hopper thanked Board for listening to the people. He does not understand the logic why people know we are not covered from 3-7am and why that time does not rotate.

Cheryl Hiemans, 28 years, concerned with hiring personnel that work in the PD without a background check. If they do go private, concerned with it costing the town more in salaries and benefits. Her suggestion would be to make Sean Kelly chief.

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Tom Downing, Winterberry Lane, 8 years, would support the idea of a Town Manager. He has seen improvement in the PD in the past one and a half years. Mr. Downing said that he would volunteer to be part of the citizens group for the hiring of a new police chief.

Jim Mayhew, 278 Quaker St, said that if there was a properly run police commission in town they could act as a liaison between the PD and the Selectmen and would take a lot off the Selectmen. Chairman Clow noted that at one point Weare did have a police commission. Jim thinks there was a lot of intimidation that caused it to disband.

Chairman Clow clarified the idea of the Town Manager and said that they do have a Town Administrator, but a Town Manager has the right to hire and fire and a different level of training and authority is given to that position by the Board of Selectmen.

Jeffrey Brown, Winterberry Lane, believes the citizen's board and professional board will help the process, but ultimately it is up to the Selectmen. He would be willing to be on the citizen's board. Mr. Brown said that there are police chiefs that would be willing to help with the process.

A gentleman from 2307 Weare Road, asked if the body cam data is transmitted in real time to some third party server. Chief Kelly said yes and it is stored on evidence.com. The devices do have on/off switches. The resident asked if there are any disciplinary procedures in place if the camera is turned off before some alleged misconduct. Vice Chairman Lacasse said that they had asked Chief Velleca that same question and his answer was yes. Once the camera is turned on it needs to remain on during the entire interaction with the public and when the interaction is completed it can be shut off. If there is missing footage there would be disciplinary action taken.

Chief Kelly said that anyone is welcome to a copy of their policy on body cameras.

Don Carrara, Quaker Street, 18 years, talked about stepping up patrols and asked how they are doing that if perpetrators are coming in at 3am and the PD is closing down at 3am. He knows they are struggling with the amount of coverage, but when he sees officers going down the road and sees random cars he wonders why. Chief Kelly said that they are stepping up patrols, there will need to be overtime costs to step up patrols because they do not have enough people to staff the town adequately. Officers are working themselves as much as they can physical can to cover the shifts. Chief Kelly that officer's time is divided equally in responding to calls for service, following up on calls for service, and preventive patrols. Chief Kelly explained that what he resident is seeing is that preventive patrols are shrinking because calls for service are increasing. The more calls for service, the more time they need to spend on follow-ups, which are done at the station so most the time when a call for service comes in they both respond from the station. The national average of officers is 2.5 per 1k, which would equate to having 25 officers in Weare. Weare current has 8 officers total and two officers are on duty whenever they can and when they can't they have to rely on their neighboring PD.

Chairman Clow said that last year there was an article on the warrant to hire two additional officers, Chief Velleca wanted four at the time, but the Board did not think it was practical to put it on the warrant. There have been discussions with the previous two chiefs for additional officers.

Frank Campana, Quaker Street, 43 years, would like to put in terms that the PD is actually budgeted for twelve officers, although there are currently only eight. He noted that they need to see what they can do with a full staff of twelve officers before requesting additional officers.

John Mullet, Shady Hill Road, 5 years, asked Chief Kelly if they have a list of parolees, probationers, and registered sex offenders like other towns do. Chief Kelley said they don't. Mr. Moullet said that generally when people steal, they take what they steal and sell it, generally to other bad guys. If the PD knows who they are they should go talk to those people. Chief Kelly said that he could not agree more with those great investigating matters, but how is he supposed to do that with his staffing. Chairman Clow said that they currently have

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vacancies in the department and people on sick leave, bringing them back to full staff of twelve will make things better and then the voters can decide if they want a larger PD.

Gary Dionne, 65 Holly Hill Farm Road, asked if the interim chief has the authorization to fill the four officer vacancies or will it be left to the new chief. Chairman Clow said that Chief Kelly pooled together a group that included citizens, fellow police officers, and him to interview candidates. A decision was made to offer a position to one of those candidates, but the candidate is also being offered a position with another town. Chief Kelly does have the authority to bring a candidate before the Board, who is the hiring authority. There is always a background check and lie detector test and they will continue to interview until they are up to full staff.

Chairman Clow said that there will be two openings on the Board of Selectmen in March.

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Cherry Palmisano, Recording Secretary

*\*Please note that these minutes were created  
based on a YouTube video and the audio  
was not always clear*